

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio](http://www.fcc.gov/mb/audio)

**PROCESSING ENGINEER:** Arthur E. Doak  
**TELEPHONE:** (202) 418-2715  
**FACSIMILE:** (202) 418-1410  
**MAIL STOP:** 1800B3-AED  
**INTERNET ADDRESS:** [arthur.doak@fcc.gov](mailto:arthur.doak@fcc.gov)

February 25, 2009

The Sister Sherry Lynn Foundation  
1101 North 81 Highway  
Marlow, OK 73055

In re: KFXH(FM), Marlow, OK  
The Sister Sherry Lynn Foundation  
Facility ID No.: 175816  
BMPED-20081219AAZ

Dear Applicant:

This letter is in reference to the above-captioned minor change application to change the transmitter location, effective radiated power and antenna height. For the reason stated below, the application will be dismissed.

An engineering study of the application reveals that it fails to comply with 47 C.F.R. § 73.525 with respect to TV Channel 6 Station KAUZ-TV, Wichita Falls, Texas. Specifically, in Figure 6 of the application it is stated that the FM interfering contours range from 78.5 dBu to 79.5 dBu. Using the interference area shown in Figure 6, the application indicates that the proposal would interfere with more than 3000 people (3,801 people). However, our study shows that the FM interfering contours range from approximately 56.3 dBu to 59.6 dBu. Since this is a much larger interference area than that shown in the application, we cannot determine if the application complies with § 73.525. This constitutes an acceptability defect.

Accordingly, Application File No. BMPED-20081219AAZ IS HEREBY DISMISSED, pursuant to 47 C.F.R. § 73.3566(a), as unacceptable for filing. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

*Arthur E. Doak*

Arthur E. Doak  
Senior Engineer  
Audio Division  
Media Bureau

cc: Southmayd & Miller  
Mullaney Engineering, Inc.